IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 398 OF 2007

Smt.Gangubai Shankarrao Dumbre,since deceased by LRs :
Shri Ramesh Shankarrao Dumbre & Ors. .. Petitioners.

V/s.

Smt. Sushilabai Kamalakar Kadam .. Respondent.

Mr. S.R.Page for the Petitioners.

CORAM : S. A. BOBDE, J.

DATED : 10th OCTOBER, 2007.

P.C. :-

. This civil revision application is against the concurrent findings of both the courts below that the petitioner landlord is not entitled to evict the respondent. The petitioner had sued the respondent on the ground of illegal permanent alterations, bonafide need, arrears of rent and nuisance. Mr.Page, the learned counsel for the petitioner do not press any submission in regard to the arrears and nuisance. As regards the question of permanent alterations Mr. Page, submitted that though the changes in the gallery were made due to the notice issued by the corporation that the gallery was in dilapidated condition, the respondent ought not to have constructed the door without

permission of the corporation. There is nothing on record that such door was installed by the respondent without permission. There is no merit in this submission. As regards the question of bonafide need, there is no material error in the findings of the courts below. The petitioner is admittedly in possession of twelve rooms and the respondent tenant is in possession of two rooms. The petitioner is also said to be the owner of the chawl in question. This finding is, therefore, not liable to be interfered with. There is no merit in the revision application, which is hereby dismissed.

(S.A.BOBDE,J.)

.....